7 FAM 1800 APPENDIX D CRISIS EVACUATION LOANS AND EVACUATION DOCUMENTATION

(CT:CON-478; 08-27-2013)
(Office of Origin: CA/OCS/L)

7 FAM 1810 APPENDIX D INTRODUCTION

(CT:CON-478; 08-27-2013)

a. 7 FAM 1860 provides general guidance regarding consular responsibilities during an evacuation.

b. 12 FAH-1 Annex K provides guidance on Drawdown and Evacuation. 12 FAH-1 Annex L provides guidance on Receipt of Evacuees, including consular support.

c. 12 FAH-1 ANNEX K ADDENDUM 3 identifies persons eligible for evacuation assistance.

c. 7 FAM 1800 Appendix D provides additional guidance regarding processing crisis evacuation loans and completing consular evacuation documentation using Form DS-5528 *Evacuee Manifest and Promissory Note*.

7 FAM 1820 APPENDIX D AUTHORITIES

(CT:CON-218; 12-05-2007)

a. 22 U.S.C. 2671(a) provides that the Secretary of State is authorized to make expenditures, from such amounts as may be specifically appropriated therefore, for unforeseen emergencies arising in the diplomatic and consular service.

b. 22 U.S.C. 2671(b)(2)(A) provides that such activities include "the evacuation when their lives are endangered by war, civil unrest, or natural disaster of:

(1) "United States Government employees and their dependents; and

(2) "Private United States citizens or third-country nationals, on a reimbursable basis to the maximum extent practicable, with such reimbursements to be credited to the applicable Department of State appropriation and to remain available until expended, except that no reimbursement under this clause shall be paid that is greater than the amount the person evacuated would have been charged for a reasonable commercial air fare immediately prior to the events giving rise to the evacuation."

c. The statute was last amended in 2002 in Public Law 107–228.

7 FAM 1830 APPENDIX D WHO MUST COMPLETE FORM DS-*5528*

(CT:CON-478; 08-27-2013)

a. Private U.S. Citizens: Unless otherwise instructed by the Department, if feasible, *each* adult private U.S. citizen evacuated on United States Government funded transportation, whether embassy commercial charter or military transport, must execute the promissory note and loan agreement on Form DS-5528 prescribed by the Department to cover the cost of transportation. *Minor children and incompetent/incapacitated adults may be added to the primary adult evacuee's Form* DS-5528*.*

b. Unaccompanied Minor Children and Incompetent*/Incapacitated* Adult Private U.S. Citizens: In the case of an unaccompanied U.S. citizen minor, an adult adjudged by a competent court to be mentally incompetent, *or an adult who is incapacitated,* Consular Affairs (CA) will attempt to find a parent, guardian, or other third party to execute the promissory note and loan agreement on the minor's, *incapacitated adult's,* or mentally incompetent adult's behalf. If such a person cannot be identified/located, CA will authorize the consular officer to approve the loan application without signature by the applicant.

c. Official U.S. Government personnel and their dependents are not required to obtain crisis evacuation loans. However, for the purposes of creating a manifest of evacuees, U.S. Government personnel and their families should complete *the following sections of Form* DS-5528:

- lines 1-*12 (identity information) and*
- *lines 34 - 88 as appropriate (accompanying minor children or incapacitated/incompetent adults) and*
- *lines 22 - 33 (emergency contact) and*
- *lines 94 - 96 (Privacy Act).*

Consular officers should complete Part 3 and Part 4 of the Form DS-5528 *for the U.S. Government family.*

d. U.S. military service members and their family members evacuated by the U.S. military during a non-combatant evacuation operation (NEO) complete other documentation required by the U.S. military. They do not complete consular documentation in these circumstances. If U.S. military service members and/or their family members are evacuated in a non-NEO evacuation (not arranged by the U.S. military) they must complete Form DS-5528*.*

e. All adult non-U.S. citizens must also sign promissory notes. Even when an arrangement exists pursuant to which a foreign government will fund evacuations of its citizens, these non U.S. citizens must sign promissory notes in order to maintain a record of who traveled.

7 FAM 1840 APPENDIX D ELIGIBILITY FOR A CRISIS EVACUATION LOAN

(CT:CON-478; 08-27-2013)

a. Private U.S. citizens/*U.S. non-citizen nationals*. A U.S. citizen/U*.S. non-citizen nationals* abroad is eligible to receive an evacuation loan if the U.S. Government is evacuating U.S. citizens/U.S. non-citizen nationals from a country where their lives are endangered by war, civil unrest, or natural disaster.

b. The "primary applicant" must sign line 92 of *Form* DS-5528 although their non-*citizen adult family member's information is listed in lines 1-33. Part 3 of the Form* DS-5528 *includes space for the consular officer to note the U.S. citizen associated with Third Country national/Host Country National, accompanying spouse or partner, or escort of the primary applicant. The U.S. citizen/U.S. non-citizen national adult associated with non-U.S. citizen/ non-U.S. national beneficiaries must initial this reference in Part 3 of the Form* DS-5528*. Until the debts of these non-U.S. citizens/non-U.S. nationals are paid, the U.S. citizen "primary applicant" listed in Part 3 will continue to be limited or denied passport services as explained in* 7 FAM 1385*.*

> ***NOTE**: Above line 91, the printed Full Name of the signatory and line 92, the signature the Form* DS-5528 *states:*
> ***I understand that refusal to sign does not relieve me of my debt if the persons listed used the transport.***

c. Alien Immediate Family Members of U.S. Citizen Evacuees: Expenses related to the evacuation of accompanying family members of U.S. citizen adults are also eligible to be included in the evacuation loan of the U.S. citizen. In order to be eligible for emergency evacuation, accompanying aliens must possess a U.S. visa or other travel document valid for entry into the United States or must possess or be eligible for a visa for the country of safe haven if not a national of that country.

d. Escorts for U.S. citizen unaccompanied minors: U.S. citizen minors residing or traveling abroad without parents or guardians may be accompanied on evacuation flights to the United States or a third country safe haven by one adult who is a U.S. citizen or who possesses a U.S. visa or other travel document valid for entry into the United States or possesses or is eligible for a visa in the country of the safe haven, as applicable and is not a national of that country.

e. U.S. Legal Permanent Residents and their families who possess a U.S. visa or other travel document valid for entry into the United States or possess or are eligible for a visa in the country of the safe haven, as applicable and are not a national of that country are eligible for evacuation loans, subject to prior approval of Consular Affairs, Overseas Citizens Services (CA/OCS).

f. Third Country Nationals are eligible for evacuation loans, subject to prior approval of CA, the Office of Emergencies in the Diplomatic and Consular Service (M/EDCS), Comptroller Global Financial Services (CGFS) and the regional bureau.

NOTE: **Which family members are eligible for assistance?**

For the purposes of evacuation, a person is eligible for evacuation assistance if he/she is a member of the U.S. citizen's immediate household such as a spouse, unmarried minor child, or another person for whom the U.S. citizen is legally responsible such as a ward for whom the citizen is the legal guardian appointed by a court, or an elderly parent or parent-in-law. Other persons must apply for evacuation and be eligible in their own right. The term family member does not include household staff or distant relatives such as cousins, aunts, uncles, etc.

7 FAM 1850 APPENDIX D COMPLETING FORM DS-*5528* DURING A CRISIS EVACUATION

(CT:CON-478; 08-27-2013)

a. 7 FAM 1864 provides general guidance regarding processing evacuation emergency loan applications and evacuation documentation. *Each adult must complete his/her own Form* DS-5528 *form, regardless of citizenship/nationality. Minors and incapacitated/incompetent adults may be included in the primary U.S. citizen loan applicant's Form* DS-5528*.*

b. Publicize the Form DS-5528 requirement via town hall meetings and *in your messaging* to all potential evacuees. Provide copies of the form which is also available electronically at the Department of State Internet Freedom of Information Act (FOIA) forms page under American Citizen Services as far in advance of an evacuation as possible. Advise evacuees to carry filled-out forms with them to the evacuation site in order to shorten required processing. The consular officer must sign the approval portion of the loan form.

See ...
State Department Internet Freedom of Information Act (FOIA)
State Department Internet Forms Page*, American Citizens Services, Form* DS-5528
State Department Intranet E Forms Finder Page

c. Posts should not attempt to collect money in advance for government-sponsored evacuation flights. Only promissory notes are *required. M/ECFS, CGFS,* Department's and/or Office of Foreign Missions (OFM) will arrange repayments with individuals or foreign governments.

7 FAM 1860 APPENDIX D LINE BY LINE GUIDANCE FOR COMPLETING FORM DS-*5528*

(CT:CON-478; 08-27-2013)

7 FAM 1860.1 Appendix D Form DS-5528 PART 1

(CT:CON-478; 08-27-2013)

a. The following provides line-by-line guidance on completing *Part 1 of* Form DS-5528:

(1) *Last* Name(s). The applicant's full legal *last* name, including "also known as" (AKA) names and aliases. The applicant's name(s) must be cleared in the Consular Lookout and Support System (CLASS) before the loan application is processed;

(*2) First Name(s). The applicant's full legal first name, including "also known as" (AKA) names and aliases. The applicant's name(s) must be cleared in the Consular Lookout and Support System (CLASS) before the loan application is processed;*

(3) Middle Name(s). The applicant's full legal middle name(s), including "also known as" (AKA) names and aliases. The applicant's name(s) must be cleared in the Consular Lookout and Support System (CLASS) before the loan application is processed;

(4) Social Security Number. 22 U.S.C. 2671(d)(1) requires that the applicant provide a social security number. A loan will not be issued without a verifiable address and social security number (SSN), except in extraordinary circumstances when failure to issue the loan may result in endangerment of the life or limb of the U.S. citizen. The Social Security Administration (SSA) advised CA that even in a crisis situation, a SSN cannot be issued in less than six weeks for a person abroad. In such cases, the Department may authorize issuance of the loan, but the applicant must provide a Social Security number as soon as practicable. CA will coordinate with the Social Security Administration (SSA) to share the SSN with *CGFS,* and the Department of Health and Human Services (HHS), where appropriate, for debt collection purposes. The consular officer should annotate *Part 3* of the Form DS-5528 to explain the absence of a Social Security Number.

(5) Date of birth. This should be listed in numerals (MM-DD-YYYY);

(6) Place of birth. This should include the city, state, and country of birth;

(7) ***Identity/Nationality Document.*** *This field requests the identity document of the applicant and the issuing country. Space is provided for the passport number or National ID number. This feature allows for the entry of foreign passport numbers or national ID numbers of eligible aliens*

accompanying U.S. citizen loan applicants and aliens not accompanying U.S. citizens who are determined eligible.

(8) Sex. The applicant should check the box for male or female;

(9) Current lodging where you may be contacted now;

(10) Phone number where you may be contacted now;

(11) Email address where you may be contacted now;

(12) Medical Condition, Current Injuries, or Limited Mobility Relevant to Evacuation: The applicant should include information that may be helpful in coordinating resettlement assistance or airline boarding.

(13) ***Verifiable Address at Final Destination in the United States (or other Permanent Address (Not Post Office Box).*** *The borrower must provide a verifiable address at the time of application. This is required for billing/collection purposes.*

Note*:* 22 U.S.C. 2671(d) *applies only to "repatriation loans." While we generally adhere to the requirements in that provision for evacuation loans, we do not treat evacuation loans as subject to those requirements.*

A verifiable address is the applicant's intended place of residence (not a post office box) upon return to the United States. If the onward address is unknown, the borrower should list "To be determined." The post in the third country to where the person is being returned or to which the person is being medically evacuated should provide a final address if possible. CA/OCS/ACS will share onward destination information obtained by HHS and/or its partners and grantees with CGFS. If the applicant is homeless, is not being resettled with family or friends, and does not possess a verifiable address, but will be assisted with resettlement in the United States by state social services, this information should be included by the consular officer in Part 3 consular adjudication notes. 7 FAM 380 *and* 7 FAM 1860 *provide additional information regarding use of emergency medical and dietary assistance funds to resettle a U.S. citizen whose permanent residence is outside the United States. If the* Department of Health and Human Services *(HHS) and/or its partners and grantees are resettling the person in the United States, they will be required to provide CA with the final destination address, and CA will relay this information to CGFS.*

(14) Address line 1;

(15) Address line 2;

(16) City;

(17) State/Province;

(18) Country;

(19) Postal Code;

(20) Telephone number(include Country/City Codes);

(21)Email address.

(22)Emergency Contact (do not list someone traveling with you);

(23)Last Name;

(24)First Name;

(25)Address line 1;

(26)Address line 2;

(27)City;

(28)State/Province;

(29)Country;

(30)Postal Code;

(31)Telephone number (include Country/City Code);

(32)Email Address; and

(33)Relationship to you.

(34)Accompanying Minor Children or Incapacitated/Incompetent Adults Only. Lines 35-88 provide space for 6 minors or incapacitated/incompetent adults. For larger families an additional Form DS-5528 *may be used.*

***NOTE**: All adults regardless of nationality, except incapacitated/incompetent adults must complete his/her own Form* DS-552*8.*

***NOTE**: Information about all family members included in an evacuation loan should also be included in the Consular Task Force (CTF) system case record;*

If the onward address is unknown because the borrower is being resettled in the United States by social services (see 7 FAM 390), the borrower should state "To be determined – local social services resettlement." CA/OCS/ACS will share onward destination information obtained by HHS and/or its partners and grantees with CGFS/F/RR/RMICD/ARB.

U.S. Department of State
Comptroller and Global Financial Services
Accounts Receivable Branch
CGFS/F/RR/RMICD/ARB
1969 Dyess Avenue, Building 646-B
North Charleston, SC 29405

1-800-521-2116
843-308-5417 (if dialing from outside the U.S. or Canada)
FMPARD@state.gov

7 FAM 1860.2 APPENDIX D Form DS-5528 PART 2 PROMISSORY NOTE AND REPAYMENT AGREEMENT

CT:CON-478; 08-27-2013)

a. *This section of Form* DS-5528 *is not applicable to U.S. Government employees on official assignment and/or Eligible Family Members.*

b. *U.S. Government employees and/or Eligible Family Members not on official assignment, for example employees and their families on leave, must complete Part 2 of the Form* DS-5528*.*

c. *All other evacuees, including third party contractors, foreign government officials, and foreign nationals not associated with a U.S. citizen must complete Part 2 of the Form* DS-5528*.*

d. *There is no loan amount provided in Parts 2 or 3 (consular notes) of the Form* DS-5528*. This is because it is not possible to estimate the exact amount of the transport cost at the time of the evacuation. However, Line 89, Part 2, sub-paragraph 3(a) states*

> *"I understand that: (a) I will be billed for the cost of my/our transportation no greater than the amount of a full-fare economy flight, or comparable alternate transportation, to the designated destination(s) that would have been charged immediately prior to the events giving rise to the evacuation."*

> ***NOTE**: The top right of pages 2 and 3 of the Form* DS-5528 *includes a small block where the identity/nationality document of the applicant listed in line 7 is to be repeated. This will ensure that all pages pertaining to an applicant are clearly associated.*

7 FAM 1860.3 APPENDIX D Form DS-5528 Part 3 Consular Notes

(CT:CON-478; 08-27-2013)

a. *The first field in Part 3 provides space for the consular officer to note information missing from the form such as lack of a signature for an unaccompanied minor; lack of signature for an incapacitated or incompetent adult; or lock of a Social Security Number. There is also space to note whether the loan includes temporary subsistence associated with the evacuation, a non-familial escort, other circumstances particular to the case.*

b. *The second field in Part 3 provides space to note the name of the U.S. citizen*

applicant associated with a third country national or host country national accompanying spouse, partner, or escort of the primary applicant. The U.S. citizen primary applicant should sign line 92 on the Form DS-5528completed by the non-U.S. citizen and initial the space in Part 3 associating the U.S. citizen with the non-U.S. citizen's application by name, date and place of birth and Social Security Number.

c. *The third field of the form includes a section for the consular officer to note the transport number, transport type, and the number of U.S. citizen loan recipients, third country or host country national loan recipients, legal permanent resident loan recipients, foreign diplomat loan recipients, and/or USG Employee/EFM evacuees on official assignment per family group listed on each Form* DS-5528*. There is also space to note "evacuation from (insert location) to (insert location) on date (insert DD-MMM-YYYY)."*

> ***Note**: One purpose of Part 3 of the Form* DS-5528 *is to identify problem cases for consular officers at the safe haven if the transport is not landing or disembarking directly in the United States. The consular officer at the scene of the evacuation will remain in close contact with the CA Task Force, which can assist in facilitating communication with the safe haven post. The consular crisis automated system will aid in sharing key information with the safe haven post and the U.S. reception points. The information in Part 3 will also be useful in creating a manifest, when the process becomes fully electronic.*

7 FAM 1860.4 Appendix D Form DS-5528 Part 4 Consular Officer Signature and Certification

(CT:CON-478; 08-27-2013)

Part 4 of the Form DS-5528 *consists of the signature of the consular officer, typed or printed name of the consular officer, title of the consular officer, name of post and date. There is also space for the consular officer to affix either a rubber stamp or impression seal.*

7 FAM 1860.5 Appendix D Form DS-5528 Authorization for the Release of Information Under the Privacy Act

(CT:CON-478; 08-27-2013)

a. *Section 94 of the Form* DS-5528 *includes a Privacy Act waiver. The U.S. citizen applicant may elect to sign in line 95 and date the document in line 96. .*

b. *The previous version of the form included a dual purpose Privacy Act waiver, one covering the release of information to the Department of State and one for release of information by the* Department of Health and Human Services *(HHS) and its partners and grantees. In creating the new Form* DS-5528*, the Department determined that the Statement of Routine Use for Overseas*

Citizens Services includes a provision for sharing of information with HHS. Recognizing that when evacuees are received by HHS and its partners and grantees at a U.S. port of entry they must complete additional resettlement documentation including an HHS Privacy Act waiver, the Department eliminated this duplicative field from the Form DS-5528*.*

> ***NOTE**: The consular officer should advise the U.S. citizen to read the Privacy Act and Paperwork Reduction Act statement of the Form* DS-5528*.*

7 FAM 1870 APPENDIX D PASSPORT ACTIONS DURING A CRISIS EVACUATION

(CT:CON-478; 08-27-2013)

a. A special Passport Limitation Endorsement Stamp (PLES) will be placed in valid passports to limit the passport to only a transit or direct return to the United States. In effect the PLES converts the existing passport into an Emergency Photo-Digitized Passport (EPDP).

b. If a crisis evacuation recipient does not have a passport, an EPDP passport limited for return/transit to the United States will be issued.

c. Diplomatic, official, and no-fee regular passports are exempt from the requirement to place a PLES in such passports during crisis evacuations. This includes persons evacuated at their own expense if using the diplomatic, official, or no-fee regular passport for incidental personal travel en route to their country of assignment (per 7 FAM 1393.1*). Similarly, Non-Personal Services Contractors (NPSCs) who have been issued a diplomatic or official passport (per* 7 FAM 1391.7*) may also be evacuated at their own expense. Such persons' passports should not be stamped with a PLES stamp. However, if they received a loan their names will be placed in CLASS. See* 7 FAM 1385*.*

7 FAM 1880 APPENDIX D WHAT TO DO WITH THE COMPLETED PROMISSORY NOTES

(CT:CON-478; 08-27-2013)

a. The completed Form DS-5528 promissory notes (the entire form) must be transmitted by the post by registered pouch, express mail, or by hand delivery by a TDY *or accompanying* officer to the following address:

> ***NOTE:** The processing post should scan or photocopy the promissory notes prior to mailing them or having them hand carried. Alert the CA/OCS/ACS country officer and CA/OCS/CCM (*CA-Crisis-Mgt@state.gov*) to the hand delivery or shipment of promissory notes, including airbill number and date of shipment.*
> ***Promissory notes for private U.S. citizens should be sent to**:*

U.S. Department of State
Comptroller and Global Financial Services
Accounts Receivable Branch
CGFS/F/RR/RMICD/ARB
1969 Dyess Avenue, Building 646-B
North Charleston, SC 29405
Promissory ***notes for non-official Third Country Nationals*** *should be sent to Accounts Receivable which will sort the promissory notes by category and forward the promissory notes for Third Country Nationals to M/EDCS for review and eventual collection from Diplomatic Missions in Washington DC by the Office of Foreign Missions (OFM).*
Posts should send or hand carry promissory notes for ***official Third Country Nationals*** *to:*
M/EDCS
Room 7427B, HST
US Dept of State 20520
ph: 202-647-5031, fax: 202-647-8194

b. Direct inquiries about payment of evacuation loans by private U.S. citizens to the addresses and phone numbers provided in 7 FAM 1385*. This information is also on the Form* DS-5528 *itself.*

7 FAM 1890 APPENDIX D PROCESSING REPATRIATION LOAN FROM SAFE HAVEN TO THE UNITED STATES

(CT:CON-478; 08-27-2013)

a. If the crisis evacuation loan recipient arrives at a safe haven outside the United States, and then requires a repatriation loan in order to return to the United States from the safe haven, the safe haven post, unless otherwise authorized by the Department, should process a repatriation loan for eligible U.S. citizens using Form DS-3072*.)*

b. The citizen, U.S. non-citizen national, or alien's name should then be entered in the CLASS system. The post should process the loan and transmit the promissory note and accompanying documents to CGFS in accordance with 7 FAM 380 and take appropriate passport action in accordance with 7 FAM 1385.

c. If the citizen requires an Emergency Medical and Dietary Assistance (EMDA) loan at the safe haven and is not returning to the United States, follow guidance in 7 FAM 380.